

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF NORTH CAROLINA
DURHAM DIVISION

In re:

JAMES CLIFFORD LILLEY

Bankruptcy Case No.: 10-81078

Soc. Sec. No. xxx-xx-0028

Mailing Address: 2921 Intercross Road, Durham,
NC 27704-

Debtor.

JAMES CLIFFORD LILLEY

Plaintiff, A.P. No.: 10-09110

vs.

WELLS FARGO, N.A.;

OPTION ONE MORTGAGE LOAN TRUST 2007-
5, ASSET BACKED CERTIFICATES;

LOAN LEADERS OF AMERICA, INC.;

RIGHT-AWAY MORTGAGE INC.;

FIDELITY NATIONAL TITLE COMPANY;

MORTGAGE ELECTRONIC REGISTRATION
SYSTEMS, INC.;

AMERICAN HOME MORTGAGE SERVICING,
INC.;

NANCY B. COOK;

Defendants.

SCHEDULING ORDER

It appearing to the court that the parties have conferred and submitted a scheduling memorandum in accordance with Federal Rule 26(f) and Bankruptcy Rule 7026 and that this scheduling order be entered at this time without the parties appearing in court for a pre-trial/scheduling conference.

Now, therefore, it is **ORDERED** as follows:

1. This Order shall supersede the Court's previously approved Scheduling Order dated February 22, 2011.
2. The time limits set forth in the joint scheduling memorandum dated June 17, 2011 are approved and shall be binding upon the parties;
3. The pre-trial conference scheduled for July 14th, 2011, is cancelled; and
4. All final pre-trial disclosures shall be filed with the Court and served on the opposing counsel by October 31, 2011, unless a dispositive motion is filed in which case the final pre-trial disclosures shall be filed within 20 days of the entry of the Order ruling on the dispositive motion.
5. The defendant shall have 30 days from the date of this Order within which to file a brief or legal memorandum in support of its defenses asserting insufficiency of process, insufficiency of service of process and failure to state claims for relief. If the defendant files a brief or legal memorandum in support of such defenses, the plaintiffs shall have 60 days from the date of this Order within which to file a brief or legal memorandum in opposition to the defendant's brief or legal memorandum. If the defendant does not file a supporting brief or legal memorandum on or before 30 days from the date of this Order, defendant shall be deemed to have abandoned the foregoing defenses and an order overruling and denying such defenses shall be entered.